

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHELE GUY,

Plaintiff,

v.

Case No. 10-CV-12150-DT

SUN LIFE ASSURANCE COMPANY OF
CANADA,

Defendant.

ORDER SETTING BRIEFING SCHEDULE

As stated at the December 20, 2010, hearing, and by separate order issued on this date, the court finds that before resolving the pending motion to compel, the threshold issue of the appropriate standard of review should be determined.

Accordingly, for the reasons stated on the record,

IT IS ORDERED that the parties shall engage in limited discovery, narrowly tailored to the facts relevant in determining the appropriate standard of review to apply in this ERISA action. The standard of review discovery shall be completed by **February 1, 2011**. In the event the parties cannot agree on the scope of this limited discovery, they are instructed to initiate a conference call with the court *prior to filing any motions*. The court will attempt to resolve their dispute informally, in an effort to reduce costs.

IT IS FURTHER ORDERED that Plaintiff shall file its motion on the standard of review by **February 22, 2011**. Defendant's response shall be filed by **March 8,**

2011, and Plaintiff's optional reply shall be filed by **March 22, 2011**. Unless otherwise ordered, the court will not conduct a hearing on the issue.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: December 22, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, December 22, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522